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Ryoji Hayashi

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EXAMINER

GEBREMICHAEL, BRUK A

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3714

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/524,305	<b>Applicant(s)</b> HAYASHI, RYOJI	
	<b>Examiner</b> BRUK A. GEBREMICHAEL	<b>Art Unit</b> 3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 13 February 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 February 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. The following office action is a **Final Office Action** in response to communications received on 02/13/2008. Claims 1, 11, 13, 14 and 20 have been amended.

#### ***Response to Amendment***

2. Applicant's amendment to the Abstract is sufficient to overcome the objection set forth in the previous office action. The Examiner respectfully withdraws the objection.

Applicant's amendment to claim 11 is sufficient to overcome the 35 U.S.C 112 second paragraph rejection set forth in the previous office action. The Examiner respectfully withdraws the rejection.

#### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yavetz 4,938,483 in view of Nishiyama 2003/0060287.

Regarding claim 1, Yavetz discloses the following claimed limitations: a remote control system comprising a transmitter and a movable machine remote-controlled on the basis of a control signal transmitted from the transmitter (FIG 2, label 12 and FIG 7, label 16), and discriminating at least one combination of the transmitter and the

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movable machine to be controlled by the transmitter on the basis of first identification information transmitted from the transmitter (col.4, lines 56-67), a characteristic information recognition device for recognizing the characteristic information concerning the movable machine to be controlled (col.3, lines 25-28), a second identification information transmission device for transmitting second identification information obtained by the recognized characteristic information, the second identification information specifying the movable machine to be controlled (col.4, lines 23-31 and lines 56-67), and the movable machine comprising a discrimination device for determining whether remote control conducted by the transmitter that has transmitted the second identification information is allowed, on the basis of the received second identification information (col.7, lines 38-42), and a remote control prohibition device responsive to discrimination that the remote control is not allowed, for prohibiting the remote control by the transmitter that has transmitted the second identification information, irrespective of whether the combination based on the first identification information is established (col.7, lines 46- 50).

However, Yavetz does not positively disclose the transmitter having a recording medium on which characteristic information associated with movable machine recorded thereon.

Nishiyama teaches a transmitter having a recording medium on which characteristic information associated with a movable machine recorded thereon (Para.0045).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the invention of Yavetz in view of Nishiyama by using a storage medium in order to store information data of the mobile unit, as taught by Nishiyama (Para.0043, lines 1-8 and Para.0045).

Yavetz in view of Nishiyama teaches the claimed limitations as discussed above. Nishiyama further teaches,

Regarding claim 2, wherein the recording medium is detachably attached to the transmitter (FIG 4, label 20 and Para.0083, lines 1-5), and

Regarding claim 3, wherein writing into the recording medium is not conducted by users (Para.0046).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the invention of Yavetz in view of Nishiyama by using a detachable storage medium in order to allow the user to exchange with a different game medium, as taught by Nishiyama (Para.0083).

Regarding claim 4, Yavetz discloses the movable machine having a discrimination device that determines whether the remote control is allowed on the basis of the characteristic information of itself and the received second identification information (col.8, lines 42-53).

However, Yavetz does not disclose, the movable machine having a storage device for storing information based on the characteristic information associated with itself.

Nishiyama teaches a movable machine having a storage device for storing information based on the characteristic information associated with itself (Para.0050, lines 5-9).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the invention of Yavetz in view of Nishiyama by incorporating a storage medium in the movable machine in order to store program and process information data based on the program stored, as taught by Nishiyama (Para.0050, lines 5-9).

Yavetz in view of Nishiyama teaches the claimed limitations as discussed above. Yavetz further discloses,

Regarding claim 5, the movable machine comprising a remote control enabling device for enabling the movable machine to be remote-controlled on the basis of the first identification information after the discrimination device has judged the remote control to be allowed (col.7, lines 46-50).

Regarding claim 6, the movable machine comprises a discriminant for determining whether the movable machine should operate on the basis of the control signal, and the remote control enabling device enables the remote control on the basis of the first identification information, by controlling the discriminant (col.8, lines 42-53).

Regarding claim 7, a transmitter excluding device for disabling the remote control conducted by another transmitter except for the transmitter enabled first by the discrimination device, even if the other transmitter is the transmitter to control the movable machine on the basis of the first identification information (col.8, lines 28-39).

Regarding claim 8, the transmitter excluding device disables the remote control conducted by the other transmitter, by using information based on transmission timing of the control signal transmitted by the transmitter (col.4, lines 56-67 and also col.5, lines 1-9).

Regarding claim 9, the characteristic information comprising information concerning control laws characteristic to the movable machine associated with the characteristic information (col.4, lines 10-31), the transmitter comprising a control signal transmission device for creating a control signal based on the control laws and transmitting the created control signal (col.3, lines 60-63).

Regarding claim 10, Yavetz discloses the following claimed limitations: a movable machine moved by a control signal supplied from a transmitter, which is combined with the movable machine on the basis of first identification information (col.2, lines 49-59), the movable machine comprising a discrimination device responsive to transmission of second identification information based on the characteristic information transmitted from the transmitter for determining whether remote control conducted by the transmitter that has transmitted the second identification information is allowed, on the basis of the received second identification information (col.8, lines 42-53), a remote control prohibition device responsive to discrimination that the remote control is not allowed, for prohibiting the remote control by the transmitter that has transmitted the second identification information, irrespective of whether a combination based on the first identification information is established (col.7, lines 46-50).

However, Yavetz fails to positively disclose the movable machine comprising a recording medium having characteristic information of the movable machine itself recorded thereon.

Nishiyama teaches a movable machine comprising a recording medium having characteristic information of the movable machine itself recorded thereon (Para.0050, lines 5-9).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the invention of Yavetz in view of Nishiyama by incorporating a storage medium in the movable machine in order to store program and process information data based on the program stored, as taught by Nishiyama (Para.0050, lines 5-9).

Regarding claim 11, Yavetz in view of Nishiyama teaches the claimed limitations as discussed above. Nishiyama further teaches, the recording medium is separated from the movable machine (Para.0108, lines 6-12).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the invention of Yavetz in view of Nishiyama by incorporating a detachable storage medium in the movable machine in order to directly send information data to the movable machine using a memory card, as taught by Nishiyama (Para.0108, lines 6-12).

Regarding claim 12, Yavetz in view of Nishiyama teaches the claimed limitations as discussed above. Yavetz further discloses, the discrimination device determines whether the remote control conducted by the transmitter that has transmitted the



second identification information is allowed, on the basis of information based on the characteristic information of itself and the received second identification information (col.8, lines 42-53).

Regarding claim 13, Yavetz discloses, a transmitter (FIG 2, label 12) for remote-controlling a movable machine combined as a control object with the transmitter subject on the basis of first identification information (col.6, lines 60-63), the transmitter comprising a characteristic information recognition device for recognizing characteristic information of the movable machine (col.3, lines 25-28), a second identification information transmission device for transmitting second identification information, obtained by the recognized characteristic information, the second identification information specifying the movable machine to be controlled (col.4, lines 23-31 and lines 56-67).

However, Yavetz fails to positively disclose, the transmitter having a recording medium on which characteristic information of the movable machine is recorded.

Nishiyama teaches a transmitter having a recording medium on which characteristic information of the movable machine is recorded (Para.0045 and Para.0046).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the invention of Yavetz in view of Nishiyama by using a storage medium in order to store program and information data of the mobile unit, as taught by Nishiyama (Para.0043, lines 1-8 and Para.0045).

Regarding claim 14, Yavetz discloses, a remote control system comprising a transmitter (FIG 2, label 16) and a movable machine (FIG 7, label 16) remote-controlled on the basis of a control signal transmitted from the transmitter (col.3, lines 60-63), a characteristic information recognition device for recognizing the characteristic information associated with the movable machine to be controlled (col.3, lines 25-28), a movable machine specification information transmission device for transmitting movable machine specification information obtained by the recognized characteristic information, the movable machine specification information specifying the movable machine to be controlled (col.4, lines 23-31 and lines 56-67), the movable machine comprising a discrimination device for determining whether remote control conducted by the transmitter that has transmitted the movable machine specification information is allowed, on the basis of the received movable machine specification information (col.8, lines 42-53), and a remote control prohibition device responsive to discrimination that the remote control is not allowed, for prohibiting the remote control by the transmitter that has transmitted the movable machine specification information (col.7, lines 46-50).

However, Yavetz does not positively disclose the remote control system comprising a recording medium having characteristic information associated with the movable machine recorded thereon.

Nishiyama teaches, a remote control system comprising a recording medium having characteristic information associated with the movable machine recorded thereon (Para.0043, lines 1-8 and Para.0045).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the invention of Yavetz in view of Nishiyama by using a storage medium in order to store program and information data of the mobile unit, as taught by Nishiyama (Para.0043, lines 1-8 and Para.0045).

Regarding claim 15, Yavetz in view of Nishiyama teaches the claimed limitations as discussed above. Nishiyama further teaches, the recording medium is detachably attached to the transmitter (FIG 4, label 20 and Para.0083).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the invention of Yavetz in view of Nishiyama by using a detachable storage medium on the transmitter in order to allow the user to exchange for different game medium, as taught by Nishiyama (Para.0083).

Regarding claim 16, Yavetz in view of Nishiyama teaches the claimed limitations as discussed above. Yavetz further discloses, the characteristic information comprises information concerning control laws characteristic to the movable machine associated with the characteristic information (col.4, lines 10-31), the transmitter comprises a control signal transmission device for creating the control signal based on the control laws and transmitting the created control signal (col.3, lines 60-63).

Regarding claim 17, Yavetz discloses, a movable machine moved by a control signal supplied from a transmitter the movable machine comprising a discrimination device responsive to transmission of identification information based on recognized characteristic information transmitted from the transmitter, for determining whether

remote control conducted by the transmitter that has transmitted the identification information is allowed, on the basis of received identification information (col.8, lines 42-53), a remote control prohibition device responsive to discrimination that the remote control is not allowed, for prohibiting the remote control by the transmitter that has transmitted the identification information (col.7, lines 46-50).

However, Yavetz fails to positively disclose the movable machine comprising a recording medium having characteristic information of the movable machine itself recorded thereon.

Nishiyama teaches a movable machine comprising a recording medium having characteristic information of the movable machine itself recorded thereon (Para.0050, lines 5-9).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the invention of Yavetz in view of Nishiyama by incorporating a storage medium in the movable machine in order to store program and process information data based on the program stored, as taught by Nishiyama (Para.0050, lines 5-9).

Regarding claim 18, Yavetz in view of Nishiyama teaches the claimed limitations as discussed above. Nishiyama further teaches, the recording medium is detachably attached to the movable machine (Para.0108, lines 6-12).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the invention of Yavetz in view of Nishiyama by incorporating a detachable storage medium in the movable machine in order to

directly send information data to the movable machine using a memory card, as taught by Nishiyama (Para.0108, lines 6-12).

Regarding claim 19, Yavetz in view of Nishiyama teaches the claimed limitations as discussed above. Yavetz further discloses, the discrimination device determines whether the remote control conducted by the transmitter that has transmitted the identification information is allowed, on the basis of information based on the characteristic information of itself and the received identification information (col.8, lines 42-53).

Regarding claim 20, Yavetz discloses, a transmitter (FIG 2, label 12) for remote-controlling a movable machine (FIG 7, label 16), the transmitter comprising a characteristic information recognition device capable of recognizing characteristic information of the movable machine (col.3, lines 25-28), an identification information transmission device for transmitting identification information obtained by the recognized characteristic information the identification information specifying the movable machine to be controlled (col.4, lines 23-31 and lines 56-67).

However, Yavetz does not positively disclose the transmitter having a recording medium on which characteristic information of the movable machine is recorded.

Nishiyama teaches a transmitter having a recording medium on which characteristic information of a movable machine is recorded (Para.0045).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the invention of Yavetz in view of Nishiyama

by using a storage medium in order to store information data of the mobile unit, as taught by Nishiyama (Para.0043, lines 1-8 and Para.0045).

***Response to Arguments.***

4. Applicant's arguments filed on 02/13/2008 have been fully considered but they are not persuasive. In the remarks, Applicant argues that,

(1) Comparing the invention according to claim 1 (hereinafter "the present invention") to the invention disclosed in Yavetz, the features of the present invention are as follows:

the remote control system comprises a recording medium having characteristic information associated with the movable machine recorded thereon, the transmitter recognizes the characteristic information from the recording to transmit the second identification information obtained by the recognized characteristic information, the second identification information specifying the movable machine to be controlled, and the movable machine comprises: a discrimination device for determining whether remote control conducted by the transmitter that has transmitted the second identification information is allowed, on the bases of the received second identification information; and a remote control prohibition device responsive to discrimination that the remote control is not allowed, for prohibiting the remote control by the transmitter that has transmitted the second identification information, irrespective of whether the combination based on the first identification information is established.

With the above features, and depending on the second identification information transmitted from the transmitter, it is determined that a remote control based on the first identification information by the transmitter is allowed or prohibited to function.

Even in the case where the first identification information can be changed by the player, as the second identification information is fixed and not changed by the player, a pair of a transmitter and a movable machine can be fixed by the second identification information. Therefore, it is possible to disable a pair of transmitters and movable machines. Moreover, a player can control a movable machine by a transmitter, but only when the transmitter obtains the second identification information associated with the movable machine from the recording medium. Therefore, for example, if the recording medium is separated from the transmitter, the game situation is provided only to a player who has purchased the recording medium, and only such a player can use the remote control system.

Yavetz discloses a remote control system where a movable machine can be discriminated by ID and frequency (col. 3, lines 25-28, and col. 4, lines 55-67). The ID of the transmitter and the ID of the movable machine can be selected by a predetermined button (col. 7, lines 46-50) and the frequency can also be selected by a switch (col. 3, lines 25-28). Therefore, both the ID and the frequency can be selected by a player preferably at the moment of using the remote control. Yavetz fails to disclose or suggest the construction where a pair of transmitters and movable machines are fixed. Even the concept of fixing the pair is neither disclosed nor suggested by Yavetz. Clearly, therefore, the above features were never derived from Yavetz.

(2) In addition, Nishimura neither refers to nor suggests that identification information can be used in a remote control system. As noted above, it is understood that even if Yavetz and Nishimura are combined, the above features of the present invention can not be derived from the combination.

Therefore, for the reasons noted above, claim 1 avoids the cited references and is in condition for allowance. Claims 2-9 depend from claim 1 and, therefore, are also considered to be in condition for allowance.

- In response to argument (1), the Examiner respectfully disagrees. Regarding the teachings of the above claimed limitations, please see the above section (*Claim Rejections - 35 USC § 103*).

With regard to the argument, “depending on the second identification information transmitted from the transmitter, it is determined that a remote control based on the first identification information by the transmitter is allowed or prohibited to function”,

Based on the Applicant’s disclosure, the first identification information is ID number that relates a transmitter with a given tank (page 14, lines 8-13).

Yavetz’s invention also teaches such ID code that relates a remote controller (i.e. a transmitter) with a vehicle (i.e. a tank). For example, the line “The **last two data bits** indicate **which of the four vehicles** 16, 18, 20 or 22 is being **controlled by the controller 12** as selected by depression of one of the pushbutton switches 42, 44, 46 or 48. Again, as will be apparent to those skilled in the art, two data bits are required to discern among the possible vehicles. For example, the final two data bits may indicate the controlled vehicle as follows...” (col.4, lines 52-63) clearly teaches the claimed



limitation, *discriminating at least one combination of the transmitter and the movable machine to be controlled by the transmitter on the basis of first identification information transmitted from the transmitter*. Based on the Examiner's interpretation, the last two data bits represent the *first identification information*, which is the tank ID as already indicated above.

Similarly, based on the Applicant's disclosure the *second identification information* is a vehicle number, which holds characteristic information of the given vehicle such as maximum velocity and control laws (Page 17, lines 2-16).

Yavetz also teaches such *second identification information* transmitted by the remote controller (transmitter) containing control information regarding the vehicle (tank). For example, the line "The **next two bits in the data stream** indicate the **vehicle speed commanded** by the joystick 38. As indicated above, the joystick 38 is movable from a centered position in which vehicle motion is stopped, to one of three **speed positions for commanding the vehicle** to move at progressively faster speeds. As will be readily appreciated by those of ordinary skill in the art, these four command signals, i.e. stop, slow speed, medium speed and high speed, require two data bits." (See col.4, lines 23-31), teaches or suggests the claimed limitation, *a second identification information transmission device for transmitting second identification information obtained by the recognized characteristic information, the second identification information specifying the movable machine to be controlled*.

Regarding this limitation, in the above argument, the Applicant further argued that, "Even in the case where the first identification information can be changed by the

player, as the second identification information is fixed and not changed by the player, a pair of a transmitter and a movable machine can be fixed by the second identification information.”

Here also, as already indicated above, based on the discussion of Applicant’s disclosure, the second identification information of the movable machine (tank) is characteristic information of the tank such as maximum velocity, charging time etc.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to recognize the fact that such limitations of the tank are already set when the tank is built and therefore, a player would not be able to change these settings with out altering the construction. For example, if the tank is designed to have a maximum speed of 15m/s when it is built, and if a player attempts to operate this vehicle at 20m/s using a controller, it is obvious that the tank would not work (i.e. it does not recognize the control information for 20m/s since it is not set for such maximum speed).

To support this fact, for instance as already taught and suggested by Yavetz’s invention, there are about four-control information settings (speed data bits) for controlling the movable vehicles using the remote controller (transmitter). These data bits correspond to stop (00), slow speed (01), medium speed (10) and high speed (11) (col.4, lines 35-40). Therefore, even if the controller (transmitter) establishes a communication by identifying the vehicle’s ID (i.e. the transmitter sends the first identification information of the tank and establishes communication), the tank would not operate if the second identification information (i.e. information concerning control laws) is not from the above four categories (00, 01, 10 or 11).

Therefore, the Examiner maintains that the combinations of Yavetz and Nishiyama teaches and suggests the above claimed limitations.

In response to argument (2), the Examiner respectfully disagrees. As already indicated in the first office action and also in this final office action the limitations regarding identification information is taught by Yavetz. The Nishimura's reference is used to teach the limitations that Yavetz's invention fails to positively disclose for example the limitation, *a recording medium having characteristic information associated with the movable machine recorded thereon*, as indicated in the above section (*Claim Rejections - 35 USC § 103*).

Even if that is the case, Nishimura's invention also suggests that identification information can be used in remote control system. For example, the line, "In the second game, a number of game players manipulate **their respective portable game machines** 1 for running **their minicars** in a preset car race track dedicated to the minicars for competing for goal ranking" (Para.0088), suggests that the minicars recognize the signals of their respective controllers only (i.e. identification information) and therefore, a given player manipulates only his/her minicar.

Further, it has been held that one cannot show non-obviousness by attacking references individually where, as here, the rejections are based on combination of references (see *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981)).

Here also, the Examiner maintains that the combinations of Yavetz and Nishiyama teaches and suggests the above claimed limitations.

***Conclusion***

Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filled within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bruk A. Gebremichael whose telephone number is (571) 270-3079. The examiner can normally be reached on Monday to Friday (7:30AM-5:00PM) ALT. Friday OFF.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, THAI XUAN can be reached on (571) 272-7147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Bruk A Gebremichael/  
Examiner, Art Unit 3714

/XUAN M. THAI/

Supervisory Patent Examiner, Art Unit 3714